

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA, Plaintiff, v. QUALITY TECHNICAL & BEAUTY COLLEGE INC.; JESUS IVAN MELENDEZ Defendants.	CIVIL NO. 20-1482 FALSE CLAIMS ACT 31 U.S.C. § 3729 et seq.
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COMPLAINT UNDER THE FALSE CLAIMS
ACT, 31 U.S.C. § 3729 ET SEQ.

TO THE HONORABLE COURT:

COMES NOW the United States of America, by and through the undersigned attorneys,
and very respectfully alleges and prays:

INTRODUCTION

1. The United States files this action under the False Claims Act, 31 U.S.C. §§ 3729 et seq., to recover damages and civil monetary penalties from the defendants' false claims to the United States Department of Education ("US ED") made in violation of federal law and applicable statutory provisions.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 1345 and its general equitable jurisdiction; as well as subject-matter jurisdiction pursuant to 28 U.S.C. § 1331, since the civil action arises under the laws of the United States, in particular, 31 U.S.C. §§ 3729,

3730.

3. This Court has personal jurisdiction over Defendants, a corporation formed under Puerto Rico law that transacts business within the District of Puerto Rico by and through its Defendant President.

4. Venue is proper in this District under 28 U.S.C. § 1391 and 31 U.S.C. § 3732(a).

Defendants' corporate offices are located within the District of Puerto Rico.

PARTIES

5. The plaintiff is the United States of America, on behalf of its United States Department of Education and the United States Department of Labor.

6. Defendant **Quality Technical & Beauty College Inc**, hereinafter referred to as "Quality", was at all times relevant, a for-profit postsecondary school located in Bayamon, Puerto Rico, duly incorporated and authorized to transact business in the Commonwealth of Puerto Rico. Defendant Jesus Ivan Melendez is Quality's owner and President.

7. Entity A is an educational institution located in Puerto Rico that offers an accelerated on-site and distance learning program for HS completion. The program requires contact hours at Entity A's facilities.

8. The Puerto Rico Council of Education ("PRCE") is the government entity that grants licenses to operate educational institutions in Puerto Rico. The license granted to Entity A establishes that students attending Entity A approved location in Puerto Rico must meet 810 hours of instruction in order to be issued a HS diploma.

9. The National Accrediting Commission of Career Arts and Sciences (“NACCAS”) is an accrediting commission that accredits cosmetology schools and beauty schools in the United States.

APPLICABLE US ED REGULATIONS AND THE FCA

10. The Federal Pell Grant Program provides need-based grants to low-income undergraduate and certain post baccalaureate students to promote access to postsecondary education. Students may use their grants at any one of approximately 5,400 participating postsecondary institutions. Grant amounts are dependent on: the student's expected family contribution (EFC) (see below); the cost of attendance (as determined by the institution); the student's enrollment status (full-time or part-time); and whether the student attends for a full academic year or less. A Federal Pell Grant, unlike a loan, does not have to be repaid.

11. Federal Pell Grants are direct grants awarded through participating institutions to students with financial need who have not received their first bachelor's degree or who are enrolled in certain post baccalaureate programs that lead to teacher certification or licensure. Participating institutions either credit the Federal Pell Grant funds to the student's school account, pay the student directly (usually by check) or combine these methods. Students must be paid at least once per term (semester, trimester, or quarter); schools that do not use formally defined terms must pay the student at least twice per academic year. As described below, current federal regulations establish the eligibility criteria for students to receive assistance under Title IV of the Higher Education Act (“HEA”) (P.L. 89-329):

a. 34 CFR § 668.32 – Student eligibility – general.

A student is eligible to receive Title IV, HEA program assistance if the student either meets all of the requirements in paragraphs (a) through (m) of this section or meets the requirement in paragraph (n) of this section as follows:

(e)(1) Has a high school diploma or its recognized equivalent.

20 U.S.C. §§ 1091g, 1091; 28 U.S.C. § 3201(e).

12. The FCA imposes liability for any person or entity who knowingly submits a false claim to the government or causes another to submit a false claim to the government, or knowingly makes a false record or statement to get a false claim paid by the government. The FCA also imposes liability for those who conspire to violate the FCA.

13. The Office of Inspector General of the US ED and the United States Department of Labor (“OIG”) are responsible for identifying fraud, waste, abuse, and criminal activity involving the Department of Education and Labor funds, programs and operations. The OIG conduct independent audits and other reviews, and criminal as well as civil investigations.

STATEMENT OF FACTS

14. In 2016, OIG received a complainant alleging that Quality offered prospective students a high school (“HS”) diploma in 1-3 days from Entity A to make otherwise ineligible students eligible to receive federal Pell Grant funds at Quality. The complainant provided audio recordings of telephone conversations in which Quality admissions’ representatives guaranteed students the successful completion of the modules to obtain a HS diploma. Apparently, the HS modules were completed at the Quality facilities assisted by one of its professors. Quality paid Entity A \$400 per student for the HS modules. Students needed to complete the post-secondary degree at Quality in order to get the HS diploma. Quality offers courses in Cosmetology, Barbering and Nail Technician. At the time of the complaint and subsequent OIG investigation, Quality had approximately 120 students enrolled.

15. According to Quality's school catalog at the time, all applicants were required to submit or meet the following requirements before being considered for admission: 1) Complete the application for admission; 2) Provide Birth Certificate or copy of the Passport; 3) Provide Vaccination Certificate, if under 21 years of age; 4) School Credit Transcript or HS Diploma; and 5) Two 2x2 Pictures. Quality had the right to refuse any applicant who did not meet all the admission requirements. Per Quality's policy, to be eligible for admission, a student was required to complete his/her 12th grade of HS. Pursuant to 34 C.F.R. 668.32, a student is eligible to receive Title IV, HEA program assistance if the student has a HS diploma or its recognized equivalent.

16. The US ED Central Processing System ("CPS") and Common Origination and Disbursement ("COD") data for Quality (OPE ID 03068400) for award years 2013-2014, 2014-2015, 2015-2016 and 2016-2017 revealed the following:

- a. Quality received federal Pell Grant funds amounting to \$436,411, \$622,642, \$563,330 and \$445,106, respectively, for the aforementioned years.
- b. Approximately 170 students named Entity A as their HS completion institution on the Free Application for Federal Student Aid ("FAFSA").
- c. Quality received approximately \$920,000 in federal Pell Grant for those 170 students.

17. In August 2016, NACCAS made an unannounced visit to Quality to conduct a review with respect to the same above-mentioned allegations in order to determine whether or not the school was noncompliant with NACCAS' requirements. Although NACCAS's findings confirmed some of the allegations, the review process was closed because Quality stated that it would no longer refer students to Entity A, and that it had begun releasing Entity A's diplomas to all active students.

18. Subsequently, the U.S. Department of Labor DOL-OIG joined the investigation based on new allegations that Entity A's officials were falsifying student signatures to bill for contracts funded with DOL funds.

19. OIG agents interviewed Quality officials and former Quality students that confirmed the allegations that the HS diplomas offered by Entity A were obtained in a short period of time ranging from three days to two weeks, and that Quality personnel, not Entity A, provided the HS test reviews at the Quality location in Bayamon, PR.

20. The PRCE Director was also interviewed by the agents and stated that the license awarded to Entity A did not allow the school to provide 100% distance education to award a HS diploma. The license awarded to Entity A provided for the school to use the accelerated education method that consisted of a combination of not less than 50% face-to-face instruction and distance learning. The PRCE Director stated that neither Entity A nor any other educational institution operating under the accelerated education method could award a HS diploma in only 1-2 weeks of instruction, as the face-to-face portion of the instruction could have not been completed in such a short period of time.

21. Jesus Ivan Melendez, owner and President of Quality, was aware of this scheme in which many students attending Quality were awarded a HS diploma, even though in many cases the students obtained the HS diploma after only two or three weeks of module instruction. Afterwards, Quality received federal funds, as described above, for the students enrolled in its programs.

22. Former students as well as former or current employees of Quality and Entity A corroborated the aforementioned allegations raised in the initial complaint provided to OIG in 2016.

Approximately thirty-nine (39) students obtained a HS diploma from Entity A within two weeks prior to signing the Quality's admission application form.

23. Quality and Entity A created a scheme to bypass the state and federal requirements in place for the distant learning program in order to submit false claims to be paid monies from the federal government under the Pell Grant program, in violation of the FCA.

24. The United States contends that it has certain civil claims against Defendants arising from the undue submission of Pell Grant program reimbursement invoices to the US ED. The reimbursement invoices that Quality submitted to the US ED included reimbursement for students enrolled at Quality that obtained their HS diplomas fraudulently, and in violation of state and federal regulations and other statutory provisions. The United States contends that Quality's reimbursement payment invoices or claims constitute illegal claims against the United States under the FCA. This conduct is referred to below as the "Covered Conduct."

CLAIM FOR RELIEF

False Claims Act– 31 U.S.C. § 3729 (a) (1)

25. This is a claim for damages and civil monetary penalties under the FCA, 31 U.S.C. § 3729 (a) (1).

26. Paragraphs 1 through 24 of this Complaint are hereby re-alleged and incorporated as though fully set forth herein.

27. As part of the scheme to defraud and described as the covered conduct, Quality submitted and caused to be submitted thirty-nine (39) claims for reimbursement payments under the Pell Grant program to the US ED for the students who fraudulently obtained a HS diploma from Entity A, and enrolled subsequently with Quality.

28. Under the FCA, a “claim” includes requests for money presented to agents of the United States or to a contractor, grantee or other recipient, if the money is to be used on the government’s behalf or to advance a government interest, as long as the United States provided any portion of the money requested.

29. Each of these false statements constitute unique claims for reimbursement of federal monies under a federal educational grant program. As such, damages, as well as civil monetary penalties, must be assigned as allowed by law in an amount ranging from \$5,500.00 to \$11,000.00 each.

PRAYER FOR RELIEF

WHEREFORE, the United States respectfully requests that judgment be entered in its favor and against the Defendants as follows:

A. Treble damages in the amount of FIVE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED FORTY-EIGHT DOLLARS (\$518,748.00), for the thirty-nine (39) false claims submitted under the FCA.

B. Grant the United States interests from the date of judgment and such other and further relief as this Court deems just and proper.

RESPECTFULLY SUBMITTED,

In San Juan, Puerto Rico, this 17th day of September 2020.

W. STEPHEN MULDROW
United States Attorney

/s/ Jorge L. Matos
Jorge L. Matos
Assistant U.S. Attorney
Civil Division
USDC No. G01307
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Exhibit A: Civil Cover Sheet

JS 44 (Rev. 09/19)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

United States of America

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
Jorge L. Matos, Assistant U.S. Attorney
U.S. Attorney's Office, 350 Chardon Ave., Suite 1201
Hato Rey, Puerto Rico 00918

DEFENDANTSQuality Technical & Beauty College Inc.,
Jesus Ivan Melendez

County of Residence of First Listed Defendant Bayamon, PR
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
☐ 2 U.S. Government Defendant
☐ 3 Federal Question (U.S. Government Not a Party)
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|-----------------------------------------|---------------------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input checked="" type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
False Claims Act 31 USC Section 3729 et seq.

Brief description of cause:

Submission of False Claims Under the Pell Grant Program

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
518,748.00

CHECK YES only if demanded in complaint:
JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE
09/17/2020

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44**Authority For Civil Cover Sheet**

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
 - (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
 - (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.

Exhibit B: Category Sheet

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

CATEGORY SHEET

You must accompany your complaint with this Category Sheet, and the Civil Cover Sheet (JS-44).

Attorney Name (Last, First, MI): Jorge L. Matos

USDC-PR Bar Number: G 01307

Email Address: Jorge.L.Matos2@usdoj.gov

1. Title (caption) of the Case (provide only the names of the first party on each side):

Plaintiff: United States of America

Defendant: William Silva Cherena

2. Indicate the category to which this case belongs:

☒ Ordinary Civil Case

☐ Social Security

☐ Banking

☐ Injunction

3. Indicate the title and number of related cases (if any).

4. Has a prior action between the same parties and based on the same claim ever been filed before this Court?

☐ Yes

☒ No

5. Is this case required to be heard and determined by a district court of three judges pursuant to 28 U.S.C. § 2284?

☐ Yes

☒ No

6. Does this case question the constitutionality of a state statute? (See, Fed.R.Civ. P. 24)

☐ Yes

☒ No

Date Submitted: 9/17/20